

REMARKS

Entry of the foregoing, reexamination and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments that follow. By this amendment, claims 1, 3, 6-8, 15, 17 and 18 and the related specification is amended to correct typographical errors, clarify the invention, or correct the formulas to change the group [GH] to [HG]. Support for the claim amendments can be found in the original claims and the specification generally, including page 15, ll. 6, 8, 29-30 and page 16 l. 10. Upon entry of the present Response, claims 1-34 are pending and await further consideration on the merits.

ELECTIONS

The Examiner issued an election requirement on July 21, 2009, to which a response was filed on August 19, 2009. The Examiner then issued a Communication on November 24, 2009, stating the August 19, 2009, response was not fully responsive because the Applicant did not respond to an Election of Species requirement. Specifically, the Examiner requested the Applicant elect the species of the biodegradable polymer with a structure identifying a single molecule.

Applicants elect the biodegradable polymer structure of formula I wherein

R^1 is H,

R^2 is H,

R^3 is an amine cation,

R^4 is a direct bond and

A is $\text{CH}_2\text{-CH}_2$

with traverse. The arguments of the August 19, 2009, response are incorporated fully in this species election.

CONCLUSIONS

Applicants submit concurrently a request for a three-month extension of time under 37 C.F.R. § 1.136 along with the accompanying fee paid by Credit Card in the amount of \$1110.00 covering the fees set forth in 37 C.F.R. §§ 1.17(a)(2). In the event that any additional extension of time is necessary to prevent the abandonment of this patent application, then such extension of time is petitioned. The U.S. Patent and Trademark Office is authorized to charge any additional fees that may be required in conjunction with this submission to Deposit Account Number 50-2228, under Order No. 022290.0159PTUS.

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Respectfully submitted,

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